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09/618,162	07/17/2000	Hiroaki Nakamura	Q58736	7412

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Sughrue, Mion, Zinn, Macpeak & Seas
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

RAHIMI, IRAJ A

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/618,162

Applicant(s)

NAKAMURA, HIROAKI

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7, 10-18, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) 8, 9 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In papers filed on December 7, 2006 applicant canceled claim 20 and added claims 21-22.

Response to Arguments

2. Applicant's arguments with respect to claims 1-19 and 21-22 have been considered but are moot in view of the new ground(s) of rejection. This Action is Non-Final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7, 10-12, 18, and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Reed (US patent 6,426,801).

Regarding claim 1, Reed discloses a storage printer comprising:
an image processing unit that analyzes an original image data acquired from an image data supply source to set image processing conditions and which processes said original image data in accordance with settings of the image processing conditions so as to produce outputting image data (column 7, lines 59-column 8, lines 1-36; column 6, lines 21-27);

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a printing unit 20 that makes a print using said outputting image data;

a storage for storing a result of processing in said image processing unit (column 8, lines 1-36); and

a reading unit that reads said result of processing from said storage and supplies it into either said image processing unit or said printing unit or both (column 6, lines 21-50 and column 7, lines 59-67),

wherein said result of processing has access information for accessing said result of processing in said storage (column 6, lines 21-50).

Regarding claim 2, Reed discloses a storage printer according to claim 1 , wherein said result of said image processing unit is at least one member of the group consisting of said outputting image data (column 7, lines 59-67), a combination of said outputting image data and the original image data therefor, and a combination of said original image data and said image processing conditions thereof.

Regarding claim 3, Reed discloses the storage printer according to claim 1 , wherein said storage is a removable storage medium 58.

Regarding claim 4, Reed discloses the storage printer according to claim 3, wherein said storage medium is at least one member of the group consisting of a digital video disk, a recordable compact disk, a semiconductor memory, a magneto-optical recording medium and a removable hard disk (column 3, lines 26-32).

Regarding claim 5, Reed discloses the storage printer according to claim 1 , wherein said storage is externally connected thereto via a wire 64 or radio waves.

Regarding claim 6, Reed discloses the storage printer according to claim 1, further comprising:

a transmission unit for supplying an external equipment with at least one member of the group consisting of said original image data, said outputting image data and said image processing conditions (column 8, lines 54-67; Fig. 14c).

Regarding claim 7, Reed discloses the storage printer according to claim 1 , further comprising:

a display unit 40 for displaying said outputting image data before said printing unit makes the print.

Regarding claim 10, Reed discloses the storage printer according to claim 1, wherein said result of processing in said image processing unit is an image file having tag information, said image file containing either said outputting image data or said original image data or both as image data, and said image 51e being sorted and archived by reference to said tag information (column 6, lines 45-48).

Regarding claim 11, Reed discloses the storage printer according to claim 10, wherein said tag information is an identification number marked on the print bearing a picture reproducing said outputting image data in said image file (column 7, lines 26-28).

Regarding claim 12, Reed discloses the storage printer according to claim 10, wherein said tag information is a character associated with the print bearing a picture reproducing said outputting image data in said image file (column 6, lines 45-48; Number is considered a character).

Regarding claim 18, Reed discloses a storage printer according to claim 3, wherein said removable storage medium comprises a zip disk (column 3, lines 26-32 and column 4, lines 31-35).

Regarding claim 21, Reed discloses the storage printer according to claim 1, wherein said image data supply sources comprises one of:

- a digital camera (column 6, lines 26-27).

- a digital video camera,

- a local area network; and

- an online network.

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Regarding claim 22, Reed discloses the storage printer according to claim 1, wherein said image processing unit, said printing unit, said storage, and said reading unit are housed in a common housing of said storage printer (Fig. 1).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Funada (US patent 4,903,145).

Regarding claim 13, Reed does not disclose a storage printer according to claim 1, wherein analyzing an original image data acquired from an image data supply source comprises:

reading the original image data;

constructing density histograms;

computing image characteristic quantities;

computing conditions for image processing steps to be performed in a data processing section of the image processing unit; and

setting the computed conditions in the data processing section.

Funada discloses the above limitations in column 11, lines 18-27 - column 12, lines 1-60).

Reed and Funada are combinable because they are from the same field of endeavor that is image reproduction.

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At the time of the invention, it would have been obvious to a person ordinary skill in the art to construct a density histogram and compute image characteristic quantities.

The suggestion/motivation for doing so would have been to correct density of stored image data.

Therefore, it would have been obvious to combine Reed and Funada to obtain the invention as specified in claim 13.

Regarding claim 14, Funada discloses a storage printer according to claim 13, wherein said image characteristic quantities comprise:

average densities, highlights, shadows and densities at maximum and minimum values on the histograms (column 8, lines 26-27. Minimum densities are associated with highlights, maximum densities are associated with shadows.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Yanaka (US patent 6,322,197).

Regarding claim 15, Reed does not disclose a storage printer according to claim 1, wherein the printing unit comprises:

back printing capabilities, wherein information is recorded on a back side of an image print.

Yanaka discloses in column 9, lines 50-67- column 10, lines 1-8 the back printing feature.

Reed and Yanaka are combinable because they are from the same field of endeavor that is image reproduction.

At the time of the invention, it would have been obvious to a person ordinary skill in the art to perform back printing.

The suggestion/motivation for doing so would have been to keep the printed picture clear of any picture information.

Therefore, it would have been obvious to combine Reed and Yanaka to obtain the invention as specified in claim 15.

8. Claim 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Hoshino et al. (US patent 6,774,980).

Regarding claim 16, Reed does not disclose a storage printer according to claim 1, wherein the storage stores an image tile in a predetermined location address in accordance with access information and a date of shooting.

Hoshino discloses the above limitation in column 6, lines 51-56 and Fig. 8.

Reed and Hoshino are combinable because they are from the same field of endeavor that is image reproduction.

At the time of the invention, it would have been obvious to a person ordinary skill in the art to store images in accordance with date of shooting.

The suggestion/motivation for doing so would have been to be able to retrieve the images by the date that was taken.

Therefore, it would have been obvious to combine Reed and Hoshino to obtain the invention as specified in claim 16.

Regarding claim 17, Hoshino discloses a storage printer according to claim 16, wherein said access information comprises identification numbers, date and time of print making, name of the user, name of the picture, and characters for classifying a print (Fig. 8).

Allowable Subject Matter

8. Claims 8-9 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art Cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Min et al. (US patent application publication 2002/0120634) discloses searching stored images by the metadata.

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Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 571-272-7411.


The examiner can normally be reached on Mon.-Fri. 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moore David can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Rahimi
April 10, 2006



TWYLER LAMB
PRIMARY EXAMINER
Supervisor